



**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE**

MEMORANDUM OF DISMISSAL

TO: Gardner Post 129, American Legion, Inc.

FROM: William Bendetson, Hearing Officer

RE: D.T.C. 21-AR-8

Investigation by the Department of Telecommunications and Cable on its own motion, pursuant to G.L. c. 159 §§ 12, 32 and 39, and G.L. c. 166 §§ 11 and 12, regarding the failure by individually-named common carriers of telecommunications services to file annual returns for calendar year 2018.

DATE: July 27, 2021

On June 3, 2021, the Department of Telecommunications and Cable ("Department") issued a Notice of Investigation and Hearing ("Notice") and Order Opening Investigation ("Order") in docket D.T.C. 21-AR, regarding the failure of 20 telecommunications carriers to file annual returns for calendar year 2018. The Notice and Order directed the named companies to respond by July 6, 2021 with information, in part, on whether each company: (1) could produce the relevant annual return; (2) could provide an explanation regarding the reasonableness of the failure to file; and (3) provided telecommunications services within the Commonwealth during the applicable calendar year.

The Department received Gardner Post 129, American Legion, Inc.'s ("Gardner") 2018 annual return on July 7, 2021. Therefore, the Department determines that Gardner has fulfilled its annual return filing requirement for 2018, and dismisses the case for docket D.T.C. 21-AR-8.

/s/William Bendetson
William Bendetson
Hearing Officer